



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LYONS ET AL. Examiner: UNKNOWN
Serial No.: 10/799,342 Group Art Unit: 3749
Filed: MARCH 11, 2004 Docket: 12929.1138US01
Confirmation No.: 6247
Due Date: JULY 27, 2004
Title: ADJUSTABLE DECORATIVE SURROUND FOR A FIREPLACE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004.

By: 

Name: Teresa Morgan

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Notice to File Missing Parts of NonProvisional Application - Part 2
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$1,478.00 (\$770 for Filing Fee, \$578 for Extra Claims Fees and \$130 for Missing Parts Surcharge)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

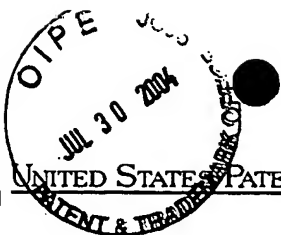
MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 

Name: Joshua N. Randall

Reg. No.: 50,719

JRandall:PLStdM



UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/799,342 | 03/11/2004 | David Charles Lyons | 12929.1138US01 |

Merchant & Gould P.C.
 P.O. Box 2903
 Minneapolis, MN 55402-0903

CONFIRMATION NO. 6247

FORMALITIES LETTER



OC000000012802490

Date Mailed: 05/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$578 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1478 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$578

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|------------|-----------|
| 01 FC:1001 | 770.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1201 | 344.00 OP |
| 04 FC:1202 | 234.00 OP |

- \$344 for 4 independent claims over 3.
- \$234 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

T. TU
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE